IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1226 OF 2005

AND

CRIMINAL APPLICATION NO.1280 OF 2005

Raju Sahadan Panikar ... Applicant

versus

The State of Maharashtra
through P.I.,Sarkarwada
Police Station, Nasik. ... Respondent

...

Mrs.S.A. Dhamale, for the Applicant.

Mr.A.S. Gadkari, A.P.P., for the Respondent.

...

CORAM : A.M.KHANWILKAR,J.

11th March 2005

P.C.:

. Heard Counsel for the parties. Learned A.P.P. states on instructions that the Applicant has reported to the investigating officer as and when called upon. He, however, submits that

information on two aspects is still awaited from the Applicant. The first is about the key of the lock put on the premises in question and the second is regarding details of the persons who accompanied the Applicant and facilitated removal of articles lying therein. Insofar as the first aspect is concerned, Counsel for the Applicant states that the investigating officer has already been informed that after the painting work which was undertaken by the Applicant was completed, key in respect of the lock put on the disputed premises has been restored to the owner, who had engaged his services. Insofar as the second aspect is concerned, learned Counsel for the Applicant has relied on the affidavit, which has been filed before the Court of J.M.F.C. at Nasik clearly indicating the name of the person who had accompanied the Applicant at the relevant time.

. Be that as it may, this application is disposed of with direction to the Applicant to attend the concerned Police Station for four days from tomorrow between 11 a.m. to 2 p.m. and thereafter, on such date, time and place as may be required for the purpose of investigation.

Applicant not to be arrested. However, after further investigation, if the investigating officer decides to arrest the Applicant, after collecting the material to indicate complicity of the Applicant, he shall give 72 hours' advance notice to the Applicant to enable the Applicant to take recourse to remedy, as may be permissible by law. Application disposed of on the above terms.

. In view of the order passed in the main application, Criminal Application No. 1280 of 2005 is disposed of.

(A.M.KHANWILKAR,J.)